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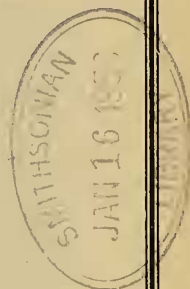
OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 367

Addition to the *Official List of Generic Names in Zoology*
of the generic names *Toernquistia* Reed, 1896 (Class
Trilobita) and *Tornquistia* Paeckelmann, 1930 (Class
Brachiopoda)

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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(6th November 1954)

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1954)

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Massachusetts, U.S.A.*) (4th December 1954)

Professor Enrico TORTONESE (*Istituto e Museo di Zoologia della Università di Torino,
Torino, Italy*) (16th December 1954)

OPINION 367

ADDITION TO THE "OFFICIAL LIST OF GENERIC
NAMES IN ZOOLOGY" OF THE GENERIC NAMES
"TOERNQUISTIA" REED, 1896 (CLASS
TRILOBITA) AND "TORNQUISTIA"
PAECKELMANN, 1930 (CLASS
BRACHIOPODA)

RULING :—(1) The under-mentioned generic names are hereby placed on the *Official List of Generic Names in Zoology* with the Name Nos. 887 and 888 respectively :—

- (a) *Toernquistia* (published as *Törnquistia*) Reed, 1896 (gender : feminine) (type species, by monotypy : *Cyphaspis* (*Toernquistia*) *nicholsoni* Reed, 1896) (Class Trilobita)
- (b) *Tornquistia* Paeckelmann, 1930 (gender : feminine) (type species, by original designation : *Leptaena* (*Chonetes*) *polita* McCoy, 1852) (Class Brachiopoda).

(2) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* with the Name Nos. 508 and 509 respectively :—

- (a) *nicholsoni* Reed, 1896, as published in the combination *Cyphaspis* (*Törnquistia*) *nicholsoni* (specific name of type species of *Toernquistia* (correction of *Törnquistia* Reed, 1896) ;
- (b) *polita* McCoy, 1852, as published in the combination *Leptaena* (*Chonetes*) *polita* (specific name of type species of *Tornquistia* Paeckelmann, 1930).

(3) The under-mentioned generic name is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* with the Name No. 305 :—*Paeckelmannia* Licharew (B.K.), 1934 (a junior objective synonym of *Tornquistia* Paeckelmann, 1930).

I.—THE STATEMENT OF THE CASE

On 7th January 1955, Mr. Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, submitted to the Commission the following application relating to the generic names *Toernquistia* (published as *Törnquistia*) Reed, 1896 (Class Trilobita) and *Tornquistia* Paeckelmann, 1930 (Class Brachiopoda) for the purpose of securing the settlement of such of the questions relating to these names raised in an application regarding the relative status to be accorded to names differing from one another in spelling only by the presence, or absence, of diacritic marks over one or more of the letters in the word of which the names in question are composed, submitted by Dr. Helen Muir-Wood (*British Museum (Natural History), London*) as remained outstanding after the decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, on the question of principle involved :—

**Proposed addition to the “ Official List of Generic Names in Zoology ”
of the generic names “ Toernquistia ” Reed, 1896 (Class Trilobita) and “ Tornquistia ” Paeckelmann, 1930 (Class Brachiopoda)**

By FRANCIS HEMMING, C.M.G., C.B.E.,

Secretary to the International Commission on Zoological Nomenclature

The purpose of the present application is to seek a decision from the Commission in regard to the names *Törnquistia* Reed (F.R.C.), 1896 (Class Trilobita) and *Tornquistia* Paeckelmann, 1930 (Class Brachiopoda) which formed the subject of an application by Dr. Helen Muir-Wood (*British Museum (Natural History), London*) (1951, *Bull. zool. Nomencl.* 6 : 92—94), on which it was impossible for the Commission to reach a decision at that time owing to uncertainties regarding the issue of principle involved. That question has now been settled by a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, and in consequence it is possible for the Commission to reach a decision on the more limited aspect of the question submitted by Dr. Muir-Wood.

2. The facts of this case are as follows :—(1) In the Class Trilobita there exists a nominal genus *Törnquistia* Reed, 1896 (*Quart. J. geol. Soc. Lond.* 52 : 433) and in the Class Brachiopoda a nominal genus *Tornquistia* Paeckelmann, 1930 (*Abh. preuss. geol. Landesanst.* (n.s.) 122 : 218, 277). (2) Reed's trilobite genus was dedicated to the Swedish palaeontologist S. L. Törnquist ; Paeckelmann's brachiopod

genus to the German palaeontologist A. J. H. Tornquist. (3) The type species of *Törnquistia* Reed, which was established as a subgenus of *Cyphaspis*, is *Cyphaspis (Törnquistia) nicholsoni* Reed, 1896 (*ibid.* 52 : 433) by monotypy, and the type species of *Tornquistia* Paeckelmann is *Leptaena (Chonetes) polita* McCoy, 1852 (*Ann. Mag. nat. Hist.*(2) 10 : 421) also by original designation. (4) The question submitted by Dr. Muir-Wood was whether the presence, in the case of the name of Reed's genus (*Törnquistia*), and the absence, in the case of that of Paeckelmann's genus (*Tornquistia*) of a diacritic mark (an umlaut) over the letter " o " was sufficient to prevent these names from becoming homonyms of one another for the purposes of Article 34.

3. Two decisions affecting the present case were taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953. The first of these was concerned with the treatment to be accorded to zoological names which, when first published, contained one or more letters bearing a diacritic mark or diacritic marks. The second, which was governed by the first, was concerned with the question expressly submitted by Dr. Muir-Wood.

4. On the question of the orthography of zoological names which, when first published, contained a letter bearing a diacritic mark, the Congress in the course of a thorough revision of Article 20, inserted in the *Règles* a provision that in future diacritic marks were not to be used in the orthography of zoological names and that, where such a mark was employed when a name was first published, it was in future to be indicated by a combination of letters to be prescribed in a Schedule to be annexed to the revised text of the *Règles*, the preparation of this Schedule being entrusted to the International Commission (1953, *Copenhagen Decisions zool. Nomencl.* : 57—58, Decision 101). The accepted method of indicating an umlaut by letters in place of the use of a diacritic mark is by the insertion of the letter " e " after the vowel which previously had borne the diacritic mark. Accordingly, under the foregoing decision the correct—and the only correct—way of writing the generic name published as *Törnquistia* is *Toernquistia*.

5. When the Congress came to consider Article 34 (the Article relating to generic homonymy) it referred back to the decision relating to the orthography of names containing letters bearing diacritic marks referred to in paragraph 4 above and decided to insert in the *Règles* a provision that, where a generic name (or within a single genus a specific name) was at the time of its first publication identical with some other generic name (or, as the case may be, some other specific name), except for the presence, in the one case, and the absence, in the other, of a diacritic mark (neither) the two generic names (nor the two specific names) are to be treated as homonyms of one another, since the combination of letters which is to be substituted for the letter bearing a diacritic mark in one of the two names concerned will create a difference in spelling sufficient to exclude the names concerned from the scope of the Law of Homonymy (1953, *Copenhagen Decisions zool.*

Nomencl. : 79—80, Decision 155). Under the foregoing decision the generic names *Toernquistia* (published as *Törnquistia*) Reed, 1896, and *Tornquistia* Paeckelmann, 1930, are not to be treated as homonyms of one another.

6. The ground has thus been cleared for the Commission to bring to a close the case submitted by Dr. Muir-Wood by placing the names involved on the appropriate *Official Lists* and *Official Indexes*. For the information required for preparing the proposals now submitted I am indebted, so far as the Brachiopod name *Tornquistia* Paeckelmann is concerned, to Dr. Muir-Wood and, so far as the Trilobite name *Toernquistia* Reed is concerned, to Dr. C. J. Stubblefield (*Geological Survey and Museum, London*).

7. The recommendations now submitted are that the International Commission should :—

(1) place the under-mentioned generic names on the *Official List of Generic Names in Zoology* :—

(a) *Toernquistia* (published as *Törnquistia*) Reed, 1896 (gender : feminine) (type species, by monotypy : *Cyphaspis* (*Toernquistia*) *nicholsoni* Reed, 1896) (Class Trilobita) ;

(b) *Tornquistia* Paeckelmann, 1930 (gender : feminine) (type species, by original designation : *Leptaena* (*Chonetes*) *polita* McCoy, 1852) ;

(2) place the under-mentioned specific names on the *Official List of Specific Names in Zoology* :—

(a) *nicholsoni* Reed, 1896, as published in the combination *Cyphaspis* (*Toernquistia*) *nicholsoni* (specific name of type species of *Toernquistia* Reed, 1896) ;

(b) *polita* McCoy, 1852, as published in the combination *Leptaena* (*Chonetes*) *polita* (specific name of type species of *Tornquistia* Paeckelmann, 1930) ;

(3) place the under-mentioned generic name on the *Official Index of Rejected and Invalid Generic Names in Zoology* :—*Paeckelmannia* Licharew (B.K.), 1934 (*in* Zittel, *Grundzüge der Paläontologie* (Russian Ed.), Leningrad-Moscow 1 (Invertebr.) : 509, footnote) (a name published as a substitute for *Tornquistia* Paeckelmann, 1930, now ruled to be an available name).

2. Registration of the present application : Upon the receipt of Mr. Hemming's application, the question of the action needed to

dispose of the matters still outstanding on Dr. Helen Muir-Wood's Application Z.N.(S.) 538 (a File which had been closed after the question of principle relating to differences in the spelling of names owing to the presence, or absence, of diacritic marks, raised therein had been settled by the Copenhagen Congress in 1953) was allotted the Registered Number Z.N.(S.) 820.

3. Report on the present application submitted to the Commission : On 22nd January 1955, Mr. Hemming prepared for the consideration of the Commission the following brief Report on the present case, to which his application was attached as an Annexe :—

I submit herewith for the consideration of the Commission a short note in regard to the above names which contains proposals for the consequential action in regard thereto following the decision on the question of principle involved taken by the Copenhagen (1953) Congress. This case, as the Commission will note, was published in the *Bulletin* as long ago as 1951 and it is desirable that it should now be disposed of with as little further delay as possible.

2. The action now proposed is supported by Dr. Helen Muir-Wood (*British Museum (Natural History), London*) (the original applicant in this case) and by Dr. C. J. Stubblefield, F.R.S., the authority on trilobites.

II.—THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

4. Issue of Voting Paper V.P.(O.M.)(55)1 : On 26th January 1955, a Voting Paper (V.P.)(O.M.)(55)1) was issued in which the Members of the Commission were invited to vote either for, or against, "the proposal in relation to the generic names *Toernquistia* Reed, 1896, and *Tornquistia* Paeckelmann, 1930, specified in paragraph 7 of the Annexe [i.e. in the paragraph so numbered in the application reproduced in the first paragraph of the present *Opinion*] to the paper by the Secretary numbered Z.N.(S.) 820 submitted simultaneously with the present Voting Paper" [i.e. the paper reproduced in paragraph 3 of the present *Opinion*].

5. The Prescribed Voting Period : As the foregoing Voting Paper was issued under the One-Month Rule, the Prescribed Voting Period closed on 26th February 1955.

6. Particulars of the Voting on Voting Paper V.P.(O.M.)(55)1 : At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(O.M.)(55)1 was as follows :—

(a) *Affirmative Votes had been given by the following nineteen (19) Commissioners (arranged in the order in which Votes were received) :*

Sylvester-Bradley ; Lemche ; Boschma ; Riley ; Hering ; Vokes ; Mayr ; Kühnelt ; Bodenheimer ; Key ; Esaki ; Stoll ; do Amaral ; Hemming ; Dymond ; Tortonese ; Bradley (J.C.) ; Cabrera ; Bonnet ;

(b) *Negative Votes : one (1) :*

Miller ;

(c) *On Leave of Absence : two (2) :*

Holthuis ; Mertens ;

(d) *Voting Papers not returned : three (3) :*

Hankó¹ ; Jaczewski² ; Prantl.³

¹ A late affirmative vote was returned by Commissioner Hankó on 11th March 1955.

² A late affirmative vote was returned by Commissioner Jaczewski on 12th April 1955.

³ A late affirmative vote was returned by Commissioner Prantl on 6th April 1955.

7. Declaration of Result of Vote : On 27th February 1955, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(O.M.)(55)1, signed a Certificate that the Votes cast were as set out in paragraph 6 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

8. Preparation of the Ruling given in the present " Opinion " : On 28th February 1955, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(O.M.)(55)1.

9. Original References : The following are the original references for the names placed on *Official Lists* and *Official Indexes* by the Ruling given in the present *Opinion* :—

- nicholsoni*, *Cyphaspis* (*Törnquistia*), Reed, 1896, *Quart. J. geol. Soc. Lond.* **52** : 433
- Paeckelmannia* Licharew (B.K.), 1934, in Zittel, *Grundzüge Paläont.* (Russian Ed.), Leningrad-Moscow 1 (Invertebr.) : 509
- polita*, *Leptaena* (*Chonetes*), M^CCoy, 1852, *Ann. Mag. nat. Hist.* (2) **10** : 421
- Toernquistia* (published as *Törnquistia*) Reed, 1896, *Quart. J. geol. Soc. Lond.* **52** : 433
- Tornquistia* Paeckelmann, 1930, *Abh. preuss. geol. Landesanst. Berl.* (n.s.) **122** : 218, 277

10. Family-Group Name aspect : The application dealt with in the present *Opinion* was published in the *Bulletin of Zoological Nomenclature* prior to the establishment of the *Official List of Family-Group Names in Zoology* by the Fourteenth International Congress of Zoology, Copenhagen, 1953. It has not been possible since then to deal with this aspect of the present case. This question is however now being examined on a separate File to which the Registered Number Z.N.(G.) 125 has been allotted.

11. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

12. The present *Opinion* shall be known as *Opinion* Three Hundred and Sixty-Seven (367) of the International Commission on Zoological Nomenclature.

DONE in London, this Twenty-Eighth day of February, Nineteen Hundred and Fifty-Five.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING